



General Assembly

January Session, 2003

***Amendment***

LCO No. 5273

\*SB0082005273SR0\*

Offered by:

SEN. GUNTHER, 21<sup>st</sup> Dist.

To: Senate Bill No. 820

File No. 278

Cal. No. 201

***"AN ACT CONCERNING AN APPRENTICESHIP PROGRAM FOR  
MARINE PILOTS."***

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- 1 In line 1, strike "Commissioner of"
- 2 In line 2, strike "Transportation, in consultation with the"
- 3 In line 3, strike the comma
- 4 In line 6, strike "commissioner" and insert "commission" in lieu
- 5 thereof
- 6 After the last section, add the following and renumber sections and
- 7 internal references accordingly:
- 8 "Sec. 501. Section 15-13 of the general statutes is repealed and the
- 9 following is substituted in lieu thereof (*Effective July 1, 2003*):
- 10 (a) The [Commissioner of Transportation] Connecticut Pilot
- 11 Commission shall license as many residents of this state and any other
- 12 state as said [commissioner] commission deems necessary and finds

13 qualified to act as pilots for one year in any of the ports and waters of  
14 this state including the Connecticut waters of Long Island Sound. A  
15 license shall be denied to any person holding a license or authority  
16 under the laws of any other state which does not issue a license or  
17 authority to pilots licensed by the [Connecticut Department of  
18 Transportation] commission. Except as hereinafter provided, no  
19 person shall be so licensed unless [he] said person possesses a federal  
20 masters license and has procured a federal first class pilot's license of  
21 unlimited tonnage issued by the United States Coast Guard covering  
22 the sections of the waters of this state for which application is being  
23 made to said [commissioner] commission. Each applicant for a license  
24 to act as a pilot for any port or waterway of the state including the  
25 Connecticut waters of Long Island Sound shall document that [he] said  
26 applicant has made the following passages on ocean-going vessels of  
27 not less than four thousand gross tons, through the port or waterway  
28 for which application is being made during the thirty-six months  
29 immediately preceding [his] the application: (1) Twelve round trips on  
30 American vessels under enrollment as pilot of record, on which the  
31 applicant is not a crew member; or (2) twenty-four round trips as  
32 observing pilot on foreign or registered vessels during which the  
33 applicant does the piloting work under the supervision and authority  
34 of a pilot licensed by this state, provided the applicant possesses a first  
35 class pilot's license issued by the United States Coast Guard for the  
36 port or waterway; or (3) any combination of the above requirements  
37 for trips, substituting two observer trips for each trip as pilot of record.

38 (b) Each pilot shall, upon [the granting of his] being granted a  
39 license, pay a fee of thirty dollars to said [commissioner] commission  
40 and shall give a bond of one thousand dollars to the State Treasurer  
41 and his successors in office, with surety, to the acceptance of the  
42 [commissioner] commission, conditioned for the faithful performance  
43 of [his] such pilot's duties as a pilot, upon which bond suit may be  
44 brought in the name of said Treasurer for the benefit of any person  
45 who may suffer loss or damage, by reason of the ignorance, neglect or  
46 misconduct of such pilot in the discharge of [his] such pilot's duties.

47 The [commissioner] commission shall increase such fee by fifty per  
48 cent July 1, 1985, by an additional fifty per cent effective July 1, 1989,  
49 by an additional twenty-five per cent effective July 1, 1991, and by an  
50 additional twenty-five per cent effective July 1, 1993.

51 (c) Each license shall expire on the last day of December following  
52 its issuance and may be renewed upon application and payment of the  
53 fee required by subsection (b) of this section, renewal of the bond  
54 required under subsection (b) of this section and proof of current  
55 federal licensure as required in subsection (a) of this section.

56 (d) The [Commissioner of Transportation] commission shall keep a  
57 record of each license and, if requested, shall furnish a certificate of  
58 such license.

59 (e) [Said commissioner] The commission may suspend or revoke  
60 any pilot's license for (1) incompetence, (2) neglect of duty, (3)  
61 misconduct, or (4) using a vessel owned or operated by a person who  
62 has not obtained a certificate of compliance under the provisions of  
63 section 15-15e for the purpose of embarking or disembarking another  
64 vessel in open and unprotected waters. Any person aggrieved by the  
65 action of [said commissioner] the commission under the provisions of  
66 this subsection may appeal therefrom in accordance with the  
67 provisions of section 4-183.

68 (f) Any pilot who has been away from duty for a period of not less  
69 than six months, or who has not completed a passage through any port  
70 or waterway for which [he] said pilot is licensed during such period,  
71 shall be placed on inactive status. Said pilot shall complete at least one  
72 round trip over the port or waterway for which [he] said pilot is  
73 licensed before resuming [his] any duties as a pilot. The refresher  
74 passages shall be made in the company of an active pilot licensed by  
75 the state. Said pilot, before resuming [his] any pilotage duties, shall  
76 submit to the [commissioner] commission a list of completed refresher  
77 passages, including the name, gross tons and draft of each vessel  
78 involved, a description and date of each passage and the name of the

79 attending pilot.

80 (g) The [commissioner] commission may issue limited licenses  
81 pursuant to this section. Such licenses may be limited according to a  
82 pilot's qualifications for operating a vessel, which shall include, but not  
83 be limited to, the type, size, gross tonnage or draft of a vessel.

84 (h) The [commissioner] commission shall adopt regulations, in  
85 accordance with the provisions of chapter 54, to carry out the purposes  
86 of this section.

87 Sec. 502. Section 15-13c of the general statutes is repealed and the  
88 following is substituted in lieu thereof (*Effective July 1, 2003*):

89 (a) There is created within the Department of Transportation [, for  
90 administrative purposes only,] the Connecticut Pilot Commission [to  
91 advise the Commissioner of Transportation on matters relating to the  
92 licensure of pilots,] which shall issue licenses to pilots and regulate the  
93 safe conduct of vessels and the protection of the ports and waters of  
94 the state, including the waters of Long Island Sound.

95 (b) The commission shall consist of seven members appointed as  
96 follows: The Governor shall appoint one member representing a  
97 maritime-related industry, which industry shall not include a  
98 recreational industry; the president pro tempore of the Senate shall  
99 appoint one member representing the public with an interest in the  
100 environment; the majority leader of the Senate shall appoint one  
101 member representing the public with an interest in the environment;  
102 the minority leader of the Senate shall appoint one member who shall  
103 be a retired ship's master or captain; the speaker of the House of  
104 Representatives shall appoint one member representing a maritime-  
105 related industry, which industry shall not include a recreational  
106 industry; the majority leader of the House of Representatives shall  
107 appoint one member representing a maritime-related industry, which  
108 industry shall not include a recreational industry; the minority leader  
109 of the House of Representatives shall appoint one member with an  
110 expertise in the area of admiralty law. Each member shall be a resident

111 of the state, provided no member shall be an active licensed pilot.  
112 Members shall be reimbursed for necessary expenses incurred in the  
113 performance of their duties.

114 (c) On or before July 1, 1992, in accordance with the provisions of  
115 subsection (b) of this section (1) the Governor, the speaker of the  
116 House of Representatives and the majority leader of the Senate shall  
117 each appoint one member who shall serve until July 1, 1996; (2) the  
118 president pro tempore of the Senate, the majority leader of the House  
119 of Representatives and the minority leader of the House of  
120 Representatives shall each appoint one member who shall serve until  
121 July 1, 1995; and (3) the minority leader of the Senate shall appoint one  
122 member who shall serve until July 1, 1994. Thereafter, members shall  
123 serve for a term of four years and any vacancies on the commission  
124 shall be filled for the remainder of the term in the same manner as the  
125 original appointment.

126 (d) The Governor shall appoint the chairperson of the commission  
127 who shall not be an employee of the Department of Transportation.  
128 The commission shall elect a vice-chairperson and any other officers  
129 that it deems necessary from among its membership. The powers of  
130 the commission shall be vested in and exercised by not less than three  
131 members serving on the commission. This number shall constitute a  
132 quorum and the affirmative vote of three members present at a  
133 meeting of the commission shall be necessary for any action taken by  
134 the commission.

135 (e) The commission shall [advise the commissioner on] determine  
136 the following matters: (1) The required qualifications of pilots for  
137 eligibility for licensure, including background, training, length of  
138 service and apprenticeship; (2) examination requirements for obtaining  
139 a pilot's or other type of operating license; (3) the appropriate number  
140 of state-licensed pilots necessary for the safe, efficient and proper  
141 operations in the ports and waters of the state, including the waters of  
142 Long Island Sound; (4) the establishment of fair and reasonable rates of  
143 pilotage, pursuant to section 15-14, as amended by this act, including

144 establishment of a hearing process for the setting of fair and reasonable  
145 rates of pilotage and licensure fees; (5) the policy of the state on the  
146 establishment of a rotation system for the assignment of pilots; (6) the  
147 policy of the state on the issuance of reciprocal licenses to pilots  
148 licensed in other states; (7) the enhancement of safety and protection of  
149 the marine environment during the operation of vessels and the  
150 prevention of oil spills and other marine incidents; (8) the proper  
151 equipment required on a vessel and the operation of vessels used by  
152 pilots for embarkation and disembarkation; (9) the designation of pilot  
153 boarding stations; (10) the proper safety equipment provided by  
154 vessels to enable pilots to safely board vessels; (11) the state's policy  
155 relative to matters of interstate pilotage; and (12) any other matter  
156 requested by the[commissioner] Commissioner of Transportation.

157 (f) The commission shall: [, at the request of the commissioner:] (1)  
158 [Assist in the preparation of] Prepare examinations for pilot licensure  
159 and other operating certificates; (2) evaluate the examination results of  
160 applicants for a pilot license and [make appropriate recommendations  
161 concerning] such applicants' qualifications; (3) [assist in the review and  
162 monitoring of] review and monitor the performance of pilots; (4)  
163 review applications for reciprocal licensure and [make appropriate  
164 recommendations concerning] such pilot's qualifications; (5)  
165 [recommend] determine the duties of pilots for the reporting of faulty  
166 pilot boarding and disembarkation systems and of violations of any  
167 state laws; (6) review and investigate any marine incident or casualty  
168 and conduct hearings to determine the causes of any such incident; (7)  
169 [make recommendations on] determine appropriate disciplinary  
170 measures, including such measures as letters of caution, admonition  
171 or reprimand and licensure suspension or forfeiture, including  
172 disciplinary matters relative to alcohol or drug abuse; (8) retain an  
173 independent investigator to compile a comprehensive factual record of  
174 any marine incident or casualty; (9) [assist in the review of] review  
175 complaints filed with the [commissioner] commission; and (10) [assist  
176 in the preparation of] prepare any report or matter relative to pilotage.

177 Sec. 503. Section 15-14 of the general statutes is repealed and the

178 following is substituted in lieu thereof (*Effective July 1, 2003*)

179 The [Commissioner of Transportation] Connecticut Pilot  
180 Commission shall establish the rates of pilotage for all vessels which  
181 use a licensed pilot in the ports and waters of this state including the  
182 Connecticut waters of Long Island Sound.

183 Sec. 504. Section 15-15a of the general statutes is repealed and the  
184 following is substituted in lieu thereof (*Effective July 1, 2003*):

185 The [Commissioner of Transportation] Connecticut Pilot  
186 Commission shall promulgate such regulations respecting the conduct  
187 and duties of licensed pilots and the piloting, docking and undocking  
188 of vessels, as [he] it deems necessary for the protection of property,  
189 public safety and the effective administration of sections 15-13, as  
190 amended by section 501 of this act, 15-14, as amended of this act, 15-15  
191 and 15-15b, as amended of this act.

192 Sec. 505. Section 15-15b of the general statutes is repealed and the  
193 following is substituted in lieu thereof (*Effective July 1, 2003*):

194 Once every three months, each licensed pilot shall render to the  
195 [Commissioner of Transportation] Connecticut Pilot Commission an  
196 accurate account of all vessels piloted by [him] said pilot. Any pilot  
197 who makes a false return shall be subject to suspension or revocation  
198 of [his] said pilot's license as provided in section 15-13, as amended of  
199 this act."